

Annual Report
Montgomery County Maryland Water Quality Advisory Group
February 28, 2008

1. ABOUT WQAG:

- a. Mission: To recommend policies, programs, and priorities that protect, maintain, and/or restore the biological, chemical and physical integrity of County streams, rivers, wetlands, groundwater, lakes, and other water resources.
- b. Membership: An extremely well qualified group, representing diverse business, academic, agricultural and environmental interests in the County, including educators, agricultural experts and farmers, academics, environmentalists, business representatives, public health specialists, and representatives from WSSC, MNCPPC, and DEP. See attached list.
- c. Staff Support: The WQAG is very grateful for excellent staff support from DEP. We could not perform our tasks without this support.
- d. Records and Minutes: WQAG maintains excellent and brief minutes of our monthly meetings, available at <http://www.montgomerycountymd.gov/deptmpl.asp?url=/content/dep/wqag/home.asp>. Many excellent guest speakers insure that the group is well informed on critical issues and current developments.
- e. Need for Ethnic/Neighborhood Diversity: Council Member Valerie Irvin has challenged the group to broaden its membership to include more ethnic and neighborhood diversity. This is a relevant and reasonable request in light of the fact that so many of the key actions for water quality require activities in the neighborhood, at the job site, and at the individual home level. *We anticipate two openings in June, one for an academic, and another for an agricultural representative.*

2. SUBCOMMITTEES AND KEY THEMES:

- a. Education and Outreach
- b. Land Use
- c. Technical and Regulatory

3. OTHER ISSUES:

- a. Agriculture
- b. Regionalism

4. EDUCATION AND OUTREACH:

- a. MCPS has two roles: as educator and as steward of land and buildings which have an impact on streams.
- b. Subcommittee, which includes outstanding environmental educators and others, is generally pleased with progress in environmental education, and believes that the stewardship function, while much remains to be done, is improving. There appears to be insufficient connections between education function and property management function.
- c. Subcommittee is unsure of how WQAG or the Executive and Council can exert a “water quality” influence on MCPS, and would appreciate guidance on this issue.
- d. Outreach to General Public: WQAG has heard a number of excellent presentations from watershed groups, and believes that the County water resources would benefit greatly from the strengthening of these groups and the development of new groups associated with particular watersheds such as the Seneca Creek, where a new group is forming.

- e. WQAG is pleased at the appointment of Ansu John as outreach coordinator, and appreciates her presentation to the Group.
- f. Storm Drain Stenciling: the WQAG is supportive of the County program for storm drain identification. We believe the tags should identify the local stream as well as the Chesapeake Bay as an impacted waterway, and should also include a phone number where citizens can report spills, back-ups and other problems. It would be very helpful the DPWT Keep Montgomery Beautiful program, which runs the stenciling program, would proactively contact citizen watershed groups and explain the program and available options to them.

5. TECHNICAL AND REGULATORY

- a. There are a number of major developments in the technical regulatory area. These include:
 - i. House Bill 1141, requiring a water resource element in the County land use plans, similar to the transportation element;
 - ii. The new state stormwater law, with its emphasis on low impact development; and
 - iii. The impending stormwater permit.
- b. The subcommittee has investigated these developments with some care, and has produced draft documents explaining their importance and import. They involve many technical aspects which are under study by DEP and by MNCPPC. These matters may have significant budget implications.
- c. The WQAG is uncertain as to when it would be appropriate to raise these matters with elected officials. Should we wait until the agencies have completed their technical analyses? We would appreciate guidance here.
- d. The WQAG believes that the permit issue and the implementation of the 2007 Stormwater Law are most critical to the County, as they will shape stormwater programs for the next five years. What will be required in terms of staff, capital, outreach and O & M?

6. LAND USE

- a. **AGRICULTURE:** WQAG is very gratified at the Executive's positive response to our letter about the federal Farm Bill. We believe it is very important for the Executive and Council and the executive agencies to be actively engaged in protecting and promoting agriculture in the County, in a way that enhances water quality.
- b. **\$50 MILLION TRUST FUND:** We likewise believe that County officials should involve themselves in the legislature's current deliberations on the \$50 million a year 2010 Chesapeake Bay Trust Fund, to insure that it is structured in a way that benefits water quality in the County. The fund allocation process should include competitive proposals on water quality programs from county governments. We encourage the active participation of County in the legislative and administrative process of allocation of the Chesapeake Bay 2010 Trust Fund and its use for the implementation of Tributary Strategy plan at local level. The County should seek both urban stormwater and agricultural non-point source pollution control grants.
- c. **FOREST CONSERVATION LAW (FCL):** WQAG has devoted significant effort to reviewing the proposed FCL. Last month, Council member Elrich presented a power point on his proposed amendments. Our next meeting on March 10 will delve further into this. In general WQAG believes that the proposed forest law should reference and incorporate water quality goals. Of all land uses forests and

trees are the most benign in terms of water quality impacts. In 2006 the Council passed a law establishing the Forest Conservation Advisory Committee. But this Committee has not yet been established. WQAG would like to help fill the gap by providing non-technical comments and advice. Council Member Floreen encouraged us to do so. We have a number of members with expertise in this area.

- d. **ROAD CODE:** Road Code rules are now undergoing technical review by County officials. WQAG is concerned that in the wake of numerous and competing objectives water quality considerations are not sufficiently being reviewed and would like to investigate this issue and report back to the Executive and Council. We hope a short, non-technical report emphasizing water quality issues would be helpful to Executive and Council.

7. REGIONALISM

- a. Last year the Executive stated that he thought that more regional approaches are in order when dealing with water issues. We have a number of representatives of regional institutions on the Group, and will take up this issue later in the year. Earlier in 2007, WQAG sent a memo to the Executive on management of Resident Geese, which have deleterious effects on water quality. One of our key points was that a regional approach was required. We hope to advise the Council and Executive on additional opportunities for effective regional action.

8. QUESTIONS FOR EXECUTIVE

- a. How should we address MCPS issues if at all?
- b. Would a WQAG review of Road Code and Forest Conservation Law issues from a water quality perspective be of help?
- c. When is the appropriate time to bring technical and legal issues to the Executive and Council?
- d. How can WQAG help you secure money for good projects from the Chesapeake Bay Trust Fund?
- e. Could the Executive and Council provide guidance to the WQAG on how we can enhance outreach on water quality issues to the general public, and to particular trade groups (restaurants, service stations) and neighborhood (especially non-English speaking).

Water Quality Advisory Group (WQAG)

Annual Report for 2007 (February 28, 2008) Attachment

Background

The WQAG was established in 1994 as part of the County's Water Quality Discharge Ordinance in County Code. One of the reasons for its establishment was to fulfill the NPDES permit requirement to provide public outreach and receive input on stormwater and water resources issues. There is a DEP web page on the WQAG with basic information, meeting calendar, annual report, and meeting summaries:

<http://www.montgomerycountymd.gov/deptmpl.asp?url=/content/dep/WQAG/home.asp>.

The 'For More Information' link at the bottom of this page is connected to a web page put together by Mike Smith, current WQAG member.

There are 15 voting members and three non-voting, agency members. The agency heads were the WQAG members when it was first established, but over the years, the duty has been designated first to Division Chiefs and now program managers. Current agency members are Meo Curtis (DEP), Doug Redmond (Parks,), and Martin Chandler (WSSC). The current voting membership (shown in the attachment) includes teachers (Jill Coutts and Kay Fulcomer--recently retired), attorneys (Larry Silverman, Scott Kauff), agriculture agency representatives (Lonnie Luther-USDA, Fred Samadani-MDA, David Plummer-MSCD), consulting (Dusty Rood, Eileen Straughan, Ilisa Tawney), and miscellaneous affiliations: Ed Brandt-EPA Pesticides; Glenn Moglen, professor at UMCP engineering; Mary Segall--world health non-profit; Mike Smith --Freer Gallery of Art librarian; and Tanya Spano, environmental engineer with MWCOG.

Mr. Mark Symborkis, environmental planner with the Maryland-National Capital Park and Planning Commission, Montgomery County Planning Department, is serving as a technical resource person for the WQAG. His work for the Commission has covered a wide range of environmental issues including water quality, stormwater management, watershed planning, surface and ground water hydrology, green infrastructure planning, stream restoration, and area master planning. Currently he is the project manager for the Water Resources Functional Master Plan for Montgomery County.

Current Work Program

Larry Silverman was elected Chair in June. Since then, he has expended significant energy on increasing the WQAG's recognition by the Executive, Council members, and other high level administrators. He feels strongly that the WQAG should assure that there will be follow up to its recommendations.

Over the past several months, the WQAG has focused on issues raised through three standing committees. These committees were established in August, have since met to identify goals, priority issues, and moved forward on first steps. The three committees are Education and Outreach; Technical and Regulatory; and Land Use. The meeting summaries for July through October 2007 (pdf at web link) include reports to date on these three committees.

While there is certainly agreement with Larry Silverman among the voting members on the desire to increase WQAG status and recognition, all have expressed the need to carefully research and evaluate available information, and be able to provide specific recommendations and requests for action from elected officials and higher level department representatives. Voting members feel it important to assure an adequate level of discussion and consensus among the WQAG so that transmitted correspondence readily identify any necessary follow up or course of action.

WATER QUALITY ADVISORY GROUP
Membership 2008

Edward Brandt

Public-at-large (1st term, expires 5/08)

Ed Brandt is a sector leader for landscaping and structural pest control in an EPA public/private partnership program titled "Pesticide Environmental Stewardship Program". This program provides grants and contractor support and serves as a catalyst by bringing partners together who work on common issues, such as conservation landscaping, defining natural and organic lawn care, training building managers in Integrated Pesticide Management (IPM) and educating the public on how best to dispose of unused pesticides.

Jill Coutts

Scientific/academic (2nd term, expires 5/09)

Jill Coutts currently teaches an advanced earth science course and AP Environmental Science and has taught in MCPS for the past 15 years. On the WQAG, Ms. Coutts serves on the outreach committee to develop ways to raise awareness of water quality issues to schools, students, and citizens of Montgomery County, and works closely with county teachers as well the local Friends of Sligo Creek group in a variety of issues relating to improving the stream water quality in Montgomery County.

Martin Chandler

Public agency, WSSC (1st term, expires 5/10)

Martin Chandler is a senior scientist at WSSC. He holds a PhD in Civil Engineering, a Masters Degree in Soil Mechanics and a BS in Earth Sciences.

Ms. Meosotis Curtis

Public agency, DEP (2nd term, expires 5/10)

Meosotis Curtis is the County's NPDES MS4 Permit coordinator and represents DEP on boards, committees, commission on matters related to the Permit and other water quality regulatory and policy matters. She is a co-founder of the County's Rainscapes Program for voluntary implementation of techniques to reduce runoff impacts from yards and landscaping.

Kathleen (Kay) Fulcomer

Public-at-large (2nd term expires 5/10)

Kay Fulcomer is a retired science resource teacher with a strong background in environmental science, currently working as a volunteer with watershed groups and other organizations. As a whitewater canoeist, she has closely observed streams, collected data, and gathered information for recreational river publications.

Scott Kauff

Public-at-large community (2nd term, expires 5/09)

Scott Kauff is an environmental attorney who concentrates in seeking damages from entities that pollute natural resources, including water resources. Prior to becoming an attorney, Scott worked for the New York State Water Resources Institute, where he worked on issues concerning the protection of the New York City drinking water supply from non-point source pollution. Prior to working in New York, Scott worked in the field office of U.S. EPA Region II, where he did fisheries and benthic macroinvertebrate field work, as well as water testing.

Lonnie W. Luther, Ph.D., P.A.S.

Agricultural Community (2nd term, expires 5/08)

Dr. Lonnie Luther holds a PhD in Poultry Nutrition. He serves as Special Assistant to the Division of New Animal Drugs at the Food and Drug Administration. He has been a Montgomery County farmer for more than 30 years.

Glenn Moglen

Scientific/academic (1st term, expires 5/08)

Glenn Moglen is an associate professor in the Department of Civil and Environmental Engineering and the National Center for Smart Growth Research and Education at the University of Maryland. Dr. Moglen's expertise includes urban hydrology, land use change, and hydrologic monitoring and modeling.

David C. Plummer

Agricultural community (2nd term, expires 5/09)

David Plummer is the District Manager of the Montgomery Soil Conservation District, which works with the agricultural community to implement conservation practices that protect water quality and enhance natural resources. David also spent 10 years as a forester with the MD Department of Natural Resources, where he assisted landowners with their forest management goals and was involved with large scale riparian buffer restoration projects on public and private land in both urban and rural settings.

Douglas Redmond

Public Agency Rep (2nd term, expires 5/10)

Doug Redmond, Principal Natural Resources Specialist, is the Section Head for the Resource Analysis Section, Park Planning and Stewardship Division, Montgomery County Department of Parks. He has been with Maryland-National Capital Park and Planning Commission for 15 years. He has a Master of Science in Marine-Estuarine Environmental Science from University of Maryland, College Park.

WATER QUALITY ADVISORY GROUP
Membership 2008

M. Dustin Rood, Vice-Chair

Business Community (2nd term, expires 5/08)

Dusty Rood, Vice-Chair, is a Certified Land Planner/Environmental Consultant in private practice with a local consulting firm, Rodgers Consulting, Inc., focusing on creating environmentally-conscious, new-urban and pedestrian-friendly communities. Dusty is intimately involved in all stages of the community planning process.

F. Fred Samadani

Agircultural Community (1st term, expires 5/10)

F. Fred Samadani is administrator of the Maryland Nutrient Management Program in the Maryland Department of Agriculture. He leads the statewide implementation of the Maryland Water Quality Improvement Act of 1998. Environmental policy development, and Non-point source pollution control programs.

Mary Segall

Business Community (1st term, expires 5/09)

Dr. Mary Segall is a public health specialist with a background in nursing. In her position with an international firm she works with developing countries to apply innovative but low cost strategies that encourage providers to change their behaviors resulting in improvements in the quality of health care provided.

Larry J. Silverman, Chair

Environmental (2ndst term, expires 5/10)

Larry J. Silverman, Chair, is an environmental attorney with nearly 40 years experience advising environmental organizations, municipalities, and innovative businesses on conservation policy and funding issues, often representing them before the federal and state legislatures. He teaches graduate courses in environmental policy and law at Johns Hopkins University.

Michael Smith

Environmental Community (1st term, expires 5/09)

Mike Smith is an active member of Friends of Sligo Creek, serving as chairperson of its Water Quality Committee and as a neighborhood steward. He is also the Vice-Chair of the Anacostia Watershed Citizens Advisory Committee.

Tanya T. Spano

Environmental Community (1st term, expires 5/08)

Ms. Spano is a Principal Environmental Engineer with the Metropolitan Washington Council of Governments (MWWOG), providing lead technical and policy support for the Blue Plains Regional Committee, as well as coordinating regional wastewater and water quality for COG's local governments and utilities. Ms. Spano's over 28-year career includes working in the metropolitan Washington region on primarily wastewater-related issues, having previously worked for WSSC and Arlington County, and now MWWOG for the past 14 years.

Eileen Straughan

Business Community (1st term, expires 5/10)

Eileen Straughan has been an environmental professional practicing in water resource management and water quality for more than 25 years in this region and a resident of Montgomery County for more than 20 years. She volunteered to serve on the Water Quality Advisory Board because she wants to contribute her knowledge and experience to the Council and Executive as they make decisions regarding the local policies and programs that affect water quality.

Ilisa Tawney

Public-at-Large (1st term, expires 5/10)

Ilisa Tawney is an environmental engineer specializing in the field of bioremediation to address environmental pollutants impacting water and soil.